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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,514	02/04/2005	Naoya Yamaguchi	890050.521USPC	1302

500 7590 04/16/2007
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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
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2154

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/523,514

Applicant(s)

YAMAGUCHI ET AL.

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-6 are subject to examination.

Drawings

2. The drawings were received on 02/04/2005. These drawings are acceptable.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 4-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Referring to claim 4,

Claim 4 recites "a terminal device", and this terminal device comprises at least means for uploading", means for checking whether or not the web page contains predetermined phrases prior to uploading" and "means for uploading data regarding a result of the check to the web server together with the web page". At page 8, lines 25-26 and in Fig.3, of the instant specification contains intrinsic evidence as the "means" are implemented in a software alone, which "Instead, the software may be downloaded via the internet 105." As such the claim 4 is a claim to a software which does not fall into any of the four statutory categories set forth in the above statute. Also, as this software is downloaded, the software is merely electro-magnetic signals and not falling into any of the four statutory categories set forth in the above statute.

Referring to claim 5,

Claim 5 is a claim to a computer program. At page 8, lines 25-26 and in Fig.3, of the instant specification contains intrinsic evidence that the steps implemented in a software, which "Instead, the software may be downloaded via the internet 105."

As such the claim 5 is a claim to a software which does not fall into any of the four statutory categories set forth in the above statute.

Also, as this software is downloaded, the software is merely electro-magnetic signals and not falling into any of the four statutory categories set forth in the above statute.

Referring to claim 6,

Claim 6 is a claim to a computer-readable recording medium in which is recorded a computer program. At page 8, lines 25-26 and in Fig.3, of the instant specification contains intrinsic evidence that the steps implemented in a software, which "Instead, the software may be downloaded via the internet 105." Also, as this software is downloaded, the software is merely electro-magnetic signals and not falling into any of the four statutory categories set forth in the above statute.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claims 1-6,

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Also since the terms "phrase(s)" and "word" are used throughout the specification and claims with the context of "keyword search" and "checking" whether or not bad words are contained in a web page, for example on page 9, line 14-17, "This keyword search is repeated until all phrases registered in the bad word list have been checked (\$402 to \$405 and \$406N). When all words registered in the bad word list have been checked and the checking operation of the web page has been completed (\$406Y),", raising confusion whether "the list is of bad word" or "the list is of phrases.", or "phrases" means words or "words" means phrases.

As such the claims are being interpreted as being "checking words".

Referring to claim 1,

Claim 1 recites "uploading data regarding a result of the check together with the web page." It is unclear whether the data regarding a result of the check is separated, stored and then uploaded or the web page itself contains the "data regarding a result of the check" as part of the webpage since both are "uploaded together." If web page itself contains the "data regarding a result of the check", then how is it being identified as being "data regarding a result of the check" expressing the result of the check?

Referring to claim 4,

Claim 4 recites "uploading data regarding a result of the checking to the web server together with the web page." It is unclear whether the data regarding a result of the check is separated, stored and then uploaded or the web page itself contains the "data regarding a result of the check" as part of the webpage since both are "uploaded together." If web page itself contains the "data regarding a result of the check", then how is it being identified as being "data regarding a result of the check" expressing the result of the check?

Referring to claim 5,

Claim 5 recites "uploading a result of the checking to the web server together with the web page." It is unclear whether the data regarding a result of the check is separated, stored and then uploaded or the web page itself contains the "a result of the check" as part of the webpage since both are "uploaded together." If web page itself contains "a result of the check", then how is it being identified as being "a result of the check" expressing the result of the check?

Referring to claim 6,

Claim 5 recites "uploading a result of the check to the web server together with the web page." It is unclear whether the data regarding a result of the check is separated, stored and then uploaded or the web page itself contains the "a result of the check" as part of the webpage since both are "uploaded together." If web page itself contains "a result of the check", then how is it being identified as being "a result of the check" expressing the result of the check?

Specification

7. A substitute specification including the claims is required pursuant to 37 CFR 1.125(a) because, the term “phrase” and “word” is used throughout the specification and claims with the context of “keyword search” and “checking” whether or not bad words are contained in a web page, for example on page 9, line 14-17, “This keyword search is repeated until all phrases registered in the bad word list have been checked (\$402 to \$405 and \$406N). When all words registered in the bad word list have been checked and the checking operation of the web page has been completed (\$406Y),”, raising confusion whether “the list is of bad word” or “the list is of phrases.”

A substitute specification must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Patton et al. (hereinafter Patton)(US 2003/0145017 A1).

Referring to claim 1,

Patton teaches a web page (para. [0040], "The issued DP 114 and the global export issued DP log 116 are available on the internal network 100 to authorized internal engineers or users 120. The global export issued DP 118 is available to authorized internal engineers 120 and authorized global or external engineers or users 122 from a web site 124 that is accessible by both internal engineers 120 and global engineers 122. For example, the web site 124 can be part of an Extranet that can be accessed by both internal engineers 120 and global engineers 122., **Note** : DP 118 is a web page since it is indicated in para.[0037], "Alternatively, the author 102 can load or retrieve a previously created draft DP 108. Preferably, the draft DP 108 is in a word processing file format such as Microsoft Word, Corel WordPerfect or any other suitable word processing format.") uploading method adapted for uploading a web page (para. [0041], "After approval by approvers 106, in step 214, the issued DP 114, the global

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export issued DP log 116 and the global export issued DP 118 are available to authorized internal users 120 on web site 100, while the global export issued DP 118 is available to authorized global engineers 122 on web site 124.") from a client computer including at least software for uploading a web page to a web server (para.[0033], "The sanitization application can be executed on the client-side, the server-side or on both the client-side and the server-side." " In another embodiment, each client computer on the computer network may store an individual copy of the sanitization application and the corresponding databases for the individual sanitization applications can be stored on either a server computer or one or more of the client computers that are accessible by each authorized client computer."), the client computer being constituted so as to check whether a web page contains predetermined phrases (para. [0046], "To perform character or text searches on the document or draft DP 108, the author 102 has to access the search macro or sub-application of the sanitization application in step 318. The author 102 then enters a search term or terms as the search parameters. The author 102 can also have other options available to further define and refine the scope of the search. The author 102 can select an option to locate text in the draft DP 108 that has a "matching case," i.e. the text in the draft DP 108 that uses capital letters in the same locations as the search term(s). The author 102 can also select a "matching exact word" option, thereby locating text in the draft DP 108 that is exactly identical to the search term(s). In preparing to execute the search in step 320, the author 102 may access a list 312 of terms and articles that are related to the subject matter of the draft DP 108 for assistance in the selection of the search terms to be used in the search.

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[0047] In another embodiment of the present invention, the author 102 can also perform character or text searches, which are described in steps 318-320, on the "sanitized" draft DP 110 in its portable or read-only format, e.g. in its PDF format, rather than on the draft DP 108 in its word processing format, e.g. in its Word format. By conducting the text search on the "sanitized" draft DP 110, the author 102 can review the content of the "sanitized" draft DP 110 one more time before it is released for approval in step 214.") prior to uploading the web page and uploading data regarding a result of the check together with the web page (para. [0030] The sanitization application can be used to create and store a master or original document in a central location for access by all authorized internal users. In addition, the sanitization application can also be used to remove restricted information, technical data and proprietary information from a master document, regardless of whether the master document is newly created or had been previously created and stored in a central location. When information and data is removed from a master document, a sanitized document and a document log file is generated by the sanitization application. The sanitized document and document log file are also stored in a central location for access by all authorized internal users.", para. [0035], "In other words, the sanitization application can be downloaded to the authorized user's computer from another computer over a network connection or an Internet connection and can then be operated without the network connection. The user is able to use the sanitization application without a network connection and is able to store the master documents, sanitized documents, document log files and related information and documents in a database. However, for other users to be able to have

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access to the master documents, sanitized documents, document log files and related information and documents, the user has to reestablish a network connection and upload any master documents, sanitized documents, document log files and related information and documents into the common central database(s) that can be accessed by all authorized users.".)

Referring to claim 2,

Patton teaches a web page uploading method in accordance with Claim 1, wherein the client computer includes a word list in which the inappropriate phrases to be checked are registered and is constituted so as to refer to the word list, thereby checking whether or not the web page to be uploaded contains inappropriate phrases ((para. [0046], "To perform character or text searches on the document or draft DP 108, the author 102 has to access the search macro or sub-application of the sanitization application in step 318. The author 102 then enters a search term or terms as the search parameters. The author 102 can also have other options available to further define and refine the scope of the search. The author 102 can select an option to locate text in the draft DP 108 that has a "matching case," i.e. the text in the draft DP 108 that uses capital letters in the same locations as the search term(s). The author 102 can also select a "matching exact word" option, thereby locating text in the draft DP 108 that is exactly identical to the search term(s). In preparing to execute the search in step 320, the author 102 may access a list 312 of terms and articles that are related to the subject matter of the draft DP 108 for assistance in the selection of the search terms to be used in the search. [0047] In

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another embodiment of the present invention, the author 102 can also perform character or text searches, which are described in steps 318-320, on the "sanitized" draft DP 110 in its portable or read-only format, e.g. in its PDF format, rather than on the draft DP 108 in its word processing format, e.g. in its Word format. By conducting the text search on the "sanitized" draft DP 110, the author 102 can review the content of the "sanitized" draft DP 110 one more time before it is released for approval in step 214.").

Referring to claim 3,

Patton teaches a web page uploading method in accordance with Claim 2, wherein the client computer is constituted so as to download the word list from the web server prior to checking whether or not the web page contains predetermined phrases (para. [0035], "In other words, the sanitization application can be downloaded to the authorized user's computer from another computer over a network connection or an Internet connection and can then be operated without the network connection. The user is able to use the sanitization application without a network connection and is able to store the master documents, sanitized documents, document log files and related information and documents in a database. However, for other users to be able to have access to the master documents, sanitized documents, document log files and related information and documents, the user has to reestablish a network connection and upload any master documents, sanitized documents, document log files and related information and documents into the common central database(s) that can be accessed by all authorized users.".)

Referring to claim 4,

Patton teaches a terminal device constituted so as to be connectable to a web server via a network, which comprises at least means for uploading a web page to a web server (para. [0035], "In other words, the sanitization application can be downloaded to the authorized user's computer from another computer over a network connection or an Internet connection and can then be operated without the network connection. The user is able to use the sanitization application without a network connection and is able to store the master documents, sanitized documents, document log files and related information and documents in a database. However, for other users to be able to have access to the master documents, sanitized documents, document log files and related information and documents, the user has to reestablish a network connection and upload any master documents, sanitized documents, document log files and related information and documents into the common central database(s) that can be accessed by all authorized users.".), means for checking whether or not the web page contains predetermined phrases prior to uploading the web page to the web server (para. [0035], "In other words, the sanitization application can be downloaded to the authorized user's computer from another computer over a network connection or an Internet connection and can then be operated without the network connection. The user is able to use the sanitization application without a network connection and is able to store the master documents, sanitized documents, document log files and related information and documents in a database.) and means for uploading data regarding a result of the check to the web server together with the web page (para. [0035], "In other words, the sanitization application can be downloaded

to the authorized user's computer from another computer over a network connection or an Internet connection and can then be operated without the network connection. The user is able to use the sanitization application without a network connection and is able to store the master documents, sanitized documents, document log files and related information and documents in a database. However, for other users to be able to have access to the master documents, sanitized documents, document log files and related information and documents, the user has to reestablish a network connection and upload any master documents, sanitized documents, document log files and related information and documents into the common central database(s) that can be accessed by all authorized users.").

Referring to claim 5,

Claim 5 is a claim to a computer program for enabling a client computer in a client server system carrying out the method of claim 1. Therefore claim 5 is rejected for the reasons set forth for claim 1.

Referring to claim 6,

Claim 6 is a claim to a computer-readable recording medium in which is recorded a computer program for enabling a client computer carrying out the method of claim 1. Therefore claim 5 is rejected for the reasons set forth for claim 1.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are

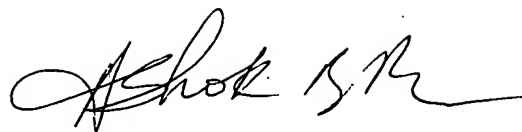
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applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 6:30 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan A. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Ashok B. Patel', with a stylized flourish at the end.

Ashok B. Patel
Examiner
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